

UNITED STATES DISTRICT COURT
 for the
EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	Case No.: CR-22-167-Raw
Plaintiff,)	
v.)	Date: 11/01/2023
)	
NATHAN REX UPTON,)	Time: 9:57 a.m. – 10:18 a.m.
)	
Defendant.)	

MINUTE SHEET
CHANGE OF PLEA HEARING

U.S. Magistrate Judge Gerald L. Jackson Paige Bruce, Deputy Clerk Reporter - None
 FTR Courtroom: 4 - Room 420

Counsel for Plaintiff: Nicole Paladino for Caila Cleary, AUSA

Counsel for Defendant: Douglas G. Smith, II, AFPD

Defendant appears: with Counsel; Counsel waived; w/o Counsel;

Defendant advised of right to appear in person Defendant consents to proceed via video conference

Defendant: Sworn

Consent to Proceed before U. S. Magistrate Judge executed by defendant and filed

Defendant advised of charges and possible penalties

Guideline estimates discussed

Defendant entered guilty plea to Count 2 of the Indictment

Plea Agreement: terms orally disclosed written plea agreement filed no written plea agreement
 Motion for Additional One Point Reduction for Acceptance of Responsibility filed by Government
 Remaining Count(s) to be dismissed at sentencing: Count(s) _____

Defendant waived: Indictment; Jury Trial; Speedy Trial; 30 Days Preparation;

Separate Representation; Waiver(s) accepted by Court

Defendant waived right to having jury determine facts used to enhance Defendant's sentence and consents to the sentencing judge to determine those facts

Defendant related facts of charge; Government agreed Defendant's statements meet elements of offense

Court findings: Defendant found mentally competent to understand charges and proceedings
 Factual basis for Defendant's plea;
 Defendant is guilty as charged as to Count 2 of the Indictment

PSI Ordered

Government requested U.S. Magistrate issue Report and Recommendation to District Court with regard to finding of guilt. DENIED (GLJ)

Defendant remanded to custody of USMS.

The sound recording for this hearing has been reviewed for completeness and correctness. The recording is a true and accurate record of these proceedings: PB